

#7

Monty P. Milbourne #46305  
Cumberland County Jail  
54 WEST BROAD ST.  
BRIDGETON, N.J. 08302

CIV. NO. 20-0012

CLERK, UNITED STATES DISTRICT COURT  
P.O. BOX 2797  
CAMDEN, N.J. 08101

RECEIVED

FEB 28 2020

AT 8:30  
WILLIAM T. WALSH  
CLERK

Judge Noel L. Hillman, U.S.D.J.,

HONORABLE Judge Hillman,

THE CUMBERLAND COUNTY PROSECUTORS OFFICE, AND COURT ARE STILL HOLDING ME UNDER CASE NO: 17002534, AND THE ACCUSATION NO: 18-12-0117 UNDER CHARGES THAT NEVER WAS CHARGED TO ME OR UNDER THIS CASE NO:.

MY MOTIONS FOR DISMISSAL OF THESE CHARGES, MOTION FOR TO BE RELEASED ON BAIL REFORM 2017 SPEEDY TRIAL ACT, N.J.A. 3:25-4, 3:25-3, §2A:16-22 1(A) 2(B), AND EVEN DISCOVERY AND GRAND JURY TRANSCRIPTS, PURSUANT SUPREME COURT RULING OF BRADY V. MARYLAND HAS BEEN IGNORED. I'M BEING HELD STILL DETAINED BY THE STATE UNCONSTITUTIONALLY UNDER AN INVALID VOID CASE NO: THE PROSECUTOR CANNOT CHARGE ME OR HOLD ME UNDER DUE PROCESS ON ANY CHARGE OF 18-12-0117 UNDER 17002534. THIS CASE NO: WASN'T EVEN FILED JAN. 31, 2018 OR DOCKET FILED UNDER 18-01-00099.

BEING THAT THIS IS SO, THE STATE IS MALICIOUSLY AND WRONGLY STILL HOLDING ME UNCONSTITUTIONALLY VIOLATING AND DEPRIVING ME OF MY LIFE, LIBERTY, AND PROPERTY UNDER THE DUE PROCESS CLAUSE OF THE 14<sup>TH</sup> AMENDMENT.

#2

AND AS YOU KNOW FROM MY MANY LETTERS, CORRESPONDING TO YOU IN THIS TIME THAT I'VE BEEN HELD UNCONSTITUTIONALLY BY THE STATE PROSECUTOR'S OFFICE AND COURT, I'VE BEEN INJURED WITH MULTIPLE INJURIES, HAVE HEALTH ISSUES, BEEN CRIMINALLY WRONGED BY ATTORNEYS (PUBLIC DEFENDERS), BEATEN AND ASSAULTED BY OFFICER WHILE HANDCUFFED AND SHACKLED, EXCESSIVE FORCE BEING BROUGHT UPON ME, AND LEFT IN THE FLOOR BY CUMBERLAND COUNTY JAIL FOR 55 HOURS, NOT GIVEN MEDICAL ASSISTANCE FOR MY BACK, NECK, HIP, TAILBONE. EVEN LAWYER TELLING ME THAT HE'S BEING PAID BY THE JUDGE TO FIND ME GUILTY. I'VE GOT COPIES OF OVER 50 LETTERS I'VE WRITTEN THROUGHOUT THE STATE ABOUT THIS CASE. A CASE NO: 17002534 WHICH WAS A THIRD DEGREE RESISTING-ELUDING, THAT NEVER WAS FILED, I'M STILL DETAINED BY THE STATE AND COURT STILL FOR 2 YEARS 4 MONTHS? I HAVE TO BE THE LAST GUY OR INMATE THAT'S IN THE WHOLE STATE UNDER THE CJRA 2017 BAIL REFORM SPEEDY TRIAL ACT, THAT'S BEEN LOCKED UP OR DETAINED STILL. MALICIOUS PROSECUTION, VINDICTIVE AND SELECTIVE. I NEED SURGERY AND HAVE MAJOR HEALTH ISSUES AND THE STATE AND COURT IS STILL HOLDING ME ON THIS VOID CASE NO: 17002534 THAT THE STATUTE OF LIMITATIONS HAS BEEN UP. 18-12-0117. DON'T EVEN EXIST WITH CHARGING DOCUMENTS, DISCOVERY, OR GRAND JURY TRANSCRIPTS. THIS IS WHY BY MY REQUEST I WAS NEVER GIVEN DISCOVERY OR GRAND JURY TRANSCRIPTS BY PUBLIC DEFENDER, PROSECUTOR, OR THE JUDGE UNDER 18-12-0117, THERE IS NONE. THE PROSECUTOR AND COURT HAVE ME DETAINED AND BOUND VIOLATING THE LAW AND DUE PROCESS. ON 1/24/20, JUDGE HILLMAN, YOU ORDERED THE PROSECUTOR TO SHOW ALL CHARGING DOCUMENTS OF 17002534, 18-01-00099, AND 18-12-0117, GIVING THEM 21 DAYS. THAT'S PASSED, AND THE PROSECUTOR STILL, AS WELL AS THE COURT IS HOLDING ME. THIS IS CRUEL AND UNUSUAL PUNISHMENT ALSO WHAT THEY'VE DONE TO ME (THE STATE) UNDER 8<sup>TH</sup> AMENDMENT. AND BECAUSE OF INEFFECTIVE ASSISTANCE OF COUNSEL, I NEVER HAD A PROPER DEFENSE.

MARCH WILL  
BE 2 YEARS ↔  
5 MONTHS  
UNDER BAIL  
REFORM..



#3

There was a Public Defender back in December, and another lawyer went on line to look into my case for <sup>me</sup> and both said I should have been home. The charges were never docket or filed. The false superseded indictment seemed to be them trying to cover up their mistakes, but when I recognized it and didn't take a plea like they thought it damaged and worsened their fraud. A lawyer told me this personally. And the Public Defender said the same thing. He told me a 90% of inmates would have took a plea, but you knowing the law and writing the government and especially the federal government the habeas corpus, it showed their fraud and deceit. This Public Defender on records told the judge in December, how is this man still incarcerated on this case no: 1? It's void! The charges or counts are not even under case no: This judge acted as if he didn't know why. See, he, the judge wasn't working on that day with the Public Defender. He's kept on my case, or prosecutor Abigail Holmes. And it confused him that this lawyer on records spoke by law. What ultimately exploited the prosecution and the court was when on 11/14/19, when the Sheriff violently threw me to the ground hard while handcuffed and shackled on camera and with 5 witnesses that saw it, and I went to the hospital injured, and it showed my back and neck was injured, they panicked knowing that I'm not really supposed to be detained for this case no: or ind. accusation, anyway. The <sup>messed</sup> ~~messed~~ up (the state) even more in fraud, when they tried to charge me Dec. 6, 2019 with the same charges of the indictment 18-12-01117 already under case no: 17005534. The Public Defender said, that was the straw that broke the camels back! Showing fraud and forgery by the state. The Public Defender wanted to take my case, but the judge and the Public Defender already on my case working together against me would <sup>not</sup> let him.

#4

Judge Hillman, Its Not more to this case. You would think my case was a High Rank Profile 1<sup>st</sup> Degree Case, Instead of a Third Degree Studing. Even another lawyer as I said looked into my case, and said the same thing the Public Defender said. my family member gave him \$900 Down to Put motions to Dismiss my case, But the Judge would not let no other lawyer defend my case. I even Under the 6<sup>th</sup> Amendment asked and put in a motion to waive my rights to counsel, to defend myself, to get this lawyer off of my case, Because He Truly is working for the Judge and did every thing the Judge told him to file and do Instead of me His Client.

This is why It is possible that what this lawyer told me Boloy was True, that the Judge Himself was Paying him. I wrote this to the Attorney Ethics wavy Backin June 28, 2019, and Joseph Krakora, and Christopher Fallon, and About my Previous Criminal Behavior from other lawyer prior. Judge Hillman, this case is strange. But until I wrote you Judge Hillman the first time and you filed that first letter, and you allowed me to put in the writ of Habeas Corpus 2041 It changed everything. But whats strange is If they (Prosecutor and Judge) know that the Federal Judge Ordered the prosecutor to have charging documents in 21 days from 1/24/20, why would the court 2/3/20, call me to court early and still try to make me have a hearing of a motion I never filed under suppression, Instead of Dismissal, To hold me Detained 49 days more? I never filed a motion for suppression and a suppression under a charge that's not under case no. Im still being held by the prosecutor and court not being released. Judge Hillman, Could you help me in this matter please.

Thank you Respectfully, Monty P. Milbourne

Note: Thank you for all you

DATE: February 25, 2020

Have done for me Judge Hillman. Thanks so much.

I EVEN  
TRIED TO  
REUSE  
JUDGE BUT  
JUDGE STAYS  
ON MY CASE.

When I came  
into court  
2/3/20, THE  
PROSECUTOR AND  
my Public Defender  
and Judge seemed  
being taken by  
surprise by  
that order or  
even confused

Marty M. Gonzalez #41305  
Cumberland County Jail /  
54 WEST BROAD ST.  
BRIDGE TON, N.J. 08302

RECEIVED

FEB 28 2020

AT 8:30                      M  
WILLIAM T. WALSH  
CLERK

08101-279797

Case 1:20-cv-00012-NLH Document 15 Filed 02/28/20 Page 5 of 5 PageID: 97

25 FEB 2020 PM 7 L

Clerk, United States District Court

P.O. Box 2797

Camden, N.J. 08101

RECEIVED

FEB 28 2020

AT 8:30                      M  
WILLIAM T. WALSH  
CLERK

